

03/00/



Our Docket No.: 042390.P6488C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Shah-Nazaroff et al. )  
Application No.: 09/904,825 )  
Filed: Concurrently Herewith )  
For: Method and Apparatus for Collecting )  
and Providing Viewer Feedback )  
to a Broadcast )

Examiner: Not Yet Assigned  
Art Group: Not Yet Assigned

RESPONSE TO NOTICE OF OMITTED ITEMS

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
DEC 14 2001  
OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

Sir:

In response to the Notice of Omitted Items in a Nonprovisional Application mailed  
August 9, 2001, please find enclosed:

- (1) figures 8 and 9;
- (2) a petition;
- (3) a check in the amount of \$130.00 in payment of the petition fee; and
- (4) a copy of the Notice of Omitted Items in a Nonprovisional Application.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/16/01

Gordon R. Lindeen III  
Reg. No. 33,192

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025-1026  
(303) 740-1980

Attorney Docket No. 042390.P6488C  
Application No. 09/904,825

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail with  
guaranteed postage in an envelope addressed to the Assistant  
Commissioner for Patents, Washington, DC 20231.  
On August 16, 2001  
Date of Deposit  
April Worley  
Name of Person Mailing Correspondence  
April Worley 8/16/01  
Signature Date



### FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$130.00

Complete if Known:

Application No. 09/904,825  
Filing Date Concurrently Herewith  
First Named Inventor Shah-Nazaroff et al.  
Group Art Unit Not yet assigned  
Examiner Name Not yet assigned  
Attorney Docket No. 042390.P6488C

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DEC 14 2001

#### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
Deposit Account Name \_\_\_\_\_

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
\_\_\_\_\_  
☐ Credit Card  
\_\_\_\_\_  
☐ Money Order  
\_\_\_\_\_  
☐ Other

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

#### FEE CALCULATION

##### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	710	201	355	Utility application filing fee	_____
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____

SUBTOTAL (1) \$0.00

##### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = 0	X 18.00	= 0.00
Independent Claims	_____	- 3** = 0	X 80.00	= 0.00
Multiple Dependent	_____			=

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

#### FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
Other fee (specify) _____					

SUBTOTAL (3) \$130.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY:

Typed or Printed Name: Gordon R. Lindeen III

Signature: 

Date: 8/16/11

Reg. Number: 33,192

Telephone Number: 303-740-1980

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/904,825	07/12/2001	Anthony A. Shah-Nazaroff	42390.P6488C

CONFIRMATION NO. 7188

## FORMALITIES LETTER



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OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

Date Mailed: 08/09/2001

Gordon R. Lindeen III  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 8 & 9 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

08/22/2001 SDENB01 00000068 09904825

01 FC:122

130.00 OP

T00230 52310560

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Table 1. Demographic characteristics of the study population	
Age (years)	Mean (SD)
18-24	20.5 (2.5)
25-34	29.5 (4.5)
35-44	39.5 (5.5)
45-54	49.5 (6.5)
55-64	59.5 (7.5)
65-74	69.5 (8.5)
75-84	79.5 (9.5)
85-94	89.5 (10.5)
95-104	99.5 (11.5)
105-114	109.5 (12.5)
115-124	119.5 (13.5)
125-134	129.5 (14.5)
135-144	139.5 (15.5)
145-154	149.5 (16.5)
155-164	159.5 (17.5)
165-174	169.5 (18.5)
175-184	179.5 (19.5)
185-194	189.5 (20.5)
195-204	199.5 (21.5)
205-214	209.5 (22.5)
215-224	219.5 (23.5)
225-234	229.5 (24.5)
235-244	239.5 (25.5)
245-254	249.5 (26.5)
255-264	259.5 (27.5)
265-274	269.5 (28.5)
275-284	279.5 (29.5)
285-294	289.5 (30.5)
295-304	299.5 (31.5)
305-314	309.5 (32.5)
315-324	319.5 (33.5)
325-334	329.5 (34.5)
335-344	339.5 (35.5)
345-354	349.5 (36.5)
355-364	359.5 (37.5)
365-374	369.5 (38.5)
375-384	379.5 (39.5)
385-394	389.5 (40.5)
395-404	399.5 (41.5)
405-414	409.5 (42.5)
415-424	419.5 (43.5)
425-434	429.5 (44.5)
435-444	439.5 (45.5)
445-454	449.5 (46.5)
455-464	459.5 (47.5)
465-474	469.5 (48.5)
475-484	479.5 (49.5)
485-494	489.5 (50.5)
495-504	499.5 (51.5)
505-514	509.5 (52.5)
515-524	519.5 (53.5)
525-534	529.5 (54.5)
535-544	539.5 (55.5)
545-554	549.5 (56.5)
555-564	559.5 (57.5)
565-574	569.5 (58.5)
575-584	579.5 (59.5)
585-594	589.5 (60.5)
595-604	599.5 (61.5)
605-614	609.5 (62.5)
615-624	619.5 (63.5)
625-634	629.5 (64.5)
635-644	639.5 (65.5)
645-654	649.5 (66.5)
655-664	659.5 (67.5)
665-674	669.5 (68.5)
675-684	679.5 (69.5)
685-694	689.5 (70.5)
695-704	699.5 (71.5)
705-714	709.5 (72.5)
715-724	719.5 (73.5)
725-734	729.5 (74.5)
735-744	739.5 (75.5)
745-754	749.5 (76.5)
755-764	759.5 (77.5)
765-774	769.5 (78.5)
775-784	779.5 (79.5)
785-794	789.5 (80.5)
795-804	799.5 (81.5)
805-814	809.5 (82.5)
815-824	819.5 (83.5)
825-834	829.5 (84.5)
835-844	839.5 (85.5)
845-854	849.5 (86.5)
855-864	859.5 (87.5)
865-874	869.5 (88.5)
875-884	879.5 (89.5)
885-894	889.5 (90.5)
895-904	899.5 (91.5)
905-914	909.5 (92.5)
915-924	919.5 (93.5)
925-934	929.5 (94.5)
935-944	939.5 (95.5)
945-954	949.5 (96.5)
955-964	959.5 (97.5)
965-974	969.5 (98.5)
975-984	979.5 (99.5)
985-994	989.5 (100.5)
995-1004	999.5 (101.5)
1005-1014	1009.5 (102.5)
1015-1024	1019.5 (103.5)
1025-1034	1029.5 (104.5)
1035-1044	1039.5 (105.5)
1045-1054	1049.5 (106.5)
1055-1064	1059.5 (107.5)
1065-1074	1069.5 (108.5)
1075-1084	1079.5 (109.5)
1085-1094	1089.5 (110.5)
1095-1104	1099.5 (111.5)
1105-1114	1109.5 (112.5)
1115-1124	1119.5 (113.5)
1125-1134	